

## **REMARKS**

Applicant has carefully studied the outstanding Office Action. The present response is intended to be fully responsive to the rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the  
5 application is respectfully requested.

### **Section 102 Rejection**

In the Office Action, the Examiner rejected Claims 1-8, 10-17, 20-22 and 24-30 under 35 U.S.C. §102(a) as being anticipated by "Data-over-Cable Service Interface Specification ("DOCSIS") Radio Frequency Interface Specification (SP-RFI-I04-980724), hereinafter  
10 "DOCSIS". The Applicants respectfully traverse the Examiner's rejections of Claims 1-8, 10-17, 20-22, and 24-30 based on the foregoing amendments and the following Section 102 Remarks.

### **Section 102 Remarks**

15 Under 35 U.S.C. § 102, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. The Applicants respectfully submit that DOCSIS does not show, describe or disclose, explicitly or inherently, the elements of new claims 31-66.

The Applicants submit that interactions with servers and other devices upstream or  
20 downstream from the architecture high-speed data-over-cable systems are outside of the scope of DOCSIS.

The architecture of the high-speed data-over-cable systems covered by DOCSIS includes a Cable Modem Termination System (CMTS), a Cable Modem (CM), a Network-Side Interface

(CMTS-NSI), a cable-modem-to-customer premises-equipment interface (CMCI). *Id.*, at page 3.

“The intent [of the specification] is for the MCNS operators to transparently transfer IP traffic between these interfaces, including but not limited to datagrams, DHCP, ICMP, and IP Group addressing (broadcast and multicast).” *Id.* Thus, if DOCSIS provided specifications for devices or processes upstream or downstream from the high-speed data-over-cable systems, then the MCNS operators would not be able to *transparently* transfer IP traffic through the high-speed data-over-cable systems. Therefore, DOCSIS does not anticipate new claims 31-66.

### **Section 103 Rejections**

In the Office Action, the Examiner rejected Claims 9 and 18 under 35 U.S.C 103(a) as being unpatentable over DOCSIS. Further, the Examiner rejected Claims 19 and 23 under 35 U.S.C. 103(a) as being unpatentable over DOCSIS in view of U.S. Patent No. 6,337,858 to Petty et al (“Petty”). The Applicants respectfully traverse the Examiner’s rejections of Claims 9, 18, 19 and 23 based on the following Section 103 Remarks.

### **Section 103 Remarks**

Under 35 U.S.C. § 103, to support the conclusion that the claimed invention is directed to obvious subject matter, a reference must expressly or impliedly suggest the claimed invention. *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). The arguments from Section 102 Remarks are incorporated herein by reference. Neither the DOCSIS nor Petty references expressly or impliedly teach or suggest the elements of the new claims. Thus, either alone or combined the DOCSIS and/or Petty reference do not teach or suggest the claimed invention. Thus, for the reasons provided above, new claims 31-66 are allowable.

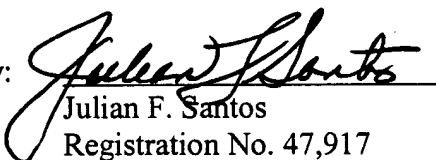
**Conclusion**

The Applicants submit that the application is in good and proper form for allowance, and respectfully request the Examiner to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the  
5 Examiner is invited to call the undersigned attorney, at 312-913-3304.

Respectfully submitted,

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**Marked-Up Copy of Specification  
Pursuant to 37 C.F.R. § 1.121(b)(iii)**

In the Title:

5           Method and System for Dynamic Service Registration in a Data[-Over-Cable]  
Communication System